Referring to the claims, the Examiner alleges that claims 23 and 30-37 need Applicants to address the rejections thereof. The original application as filed on April 27, 1999 has 41 claims. In response to a Restriction Requirement, Applicants withdrew claims 24-29 from further consideration and elected to prosecute claims 1-23 and 30-41. In the Amendment dated September 18, 2000, Applicants cancelled claims 1-23 and 38-41 and added new claims 42-92. New claims 93-94 are added by the Amendment herewith. Support for these claims may be found throughout the specification.

In the March 16, 2000 Office Action, the Examiner rejected claims 1-23, 30-41 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Specifically, the Examiner rejected : i) the phrase "preferably" in claims 23 and 30 (*See* 4c in March 16, 2000 Office Action); and ii) the alternative recitation "and/or" in claims 23 and 30-37 (*See* 4g in March 16, 2000 Office Action).

In response to the Examiner's rejection, Applicants have hereby canceled claim 23 and amended the claims 30-37 to specifically delete the alternative recitation. Applicants respectfully contend that newly amended claims 30-37 particularly point out and distinctly claim the present invention in language conforming to USPTO guidelines. Accordingly, applicants request that the 112, second paragraph rejection not be applied to the pending claims.

In view of the foregoing, Applicants submit that all of the pending claims of the subject application

are now in condition for allowance, and issuance of a Notice of Allowance is respectfully requested. The Examiner is invited to telephone the undersigned attorney at (212) 908-6018 if there are any questions concerning this amendment.

Respectfully submitted,

Date: 9/24/01

Siu K. Lo
Reg. No. 46,877

KENYON & KENYON
One Broadway
New York, NY 10004
(212) 425-7200

MARKED UP VERSION OF THE CHANGES

30. (Amended) A homogeneous, solid, water-soluble product consisting of at least one active substance [having] selected from the group consisting of low aqueous solubility ($<1.10^{-4}$ M/Lit, $<1.10^{-6}$M/Lit) of the group amphotericin B, an adriamyciine analogue, apazone, azathioprine, bromazepam, camptothecin, clonazepam, cyclosporine A, diazepam, dicumaroo, digitoxine, dipyrimdamole, disopyramide, flunitrazepam, gemfibrozil, ketochlorin, ketoconzaole, miconazole, niflumic acid, oxazepam, phenobarbital, phenytoin, progresterone, propofol, ritonavir, sulfinpyrazone, suprofene, tacrolimus, tamoxifen, taxonoid, testosterone, tirilazad, trioxsalen, valproic acid and [/or] warfarin; and also consisting of at least one protein [of] selected from the group consisting of human serum albumin, immunoglobulin, glycoprotein, interferon and [/or] interleukin and some other natural or recombinant human plasma fraction

where the said active substance and the said protein fraction are bound to each other by way of non-covalent bonds and wherein the molar ratio of the said active substance and the said protein fraction is within the range of 1:0.05 to 1:100 [, preferably of 1:0.1 to 1:50].

31. (Amended) A homogenous, solid, water-soluble product according to claim 30 consisting of a taxonoide of the general formula I - in the formula

R^1 represents tert. butyl-oxy-carboxylic acid amide or benzoyl amide,

R^2 represents hydrogen or any acyl group [preferably acetyl-] and of a plasma protein fraction.

32. (Amended) A homogenous, solid, water-soluble product according to claim 30, [consisting of] wherein the active substance is paclitaxel and the protein is selected from the group consisting of human serum albumin, recombinant human plasma albumin and [/or] γ-globulin.

33. (Amended) A homogeneous, solid, water-soluble product according to claim 30, [consisting of] wherein the active substance is amphotericin B and the protein is selected from the group consisting of human serum albumin, recombinant human plasma albumin and [/or] γ-globulin.

34. (Amended) A homogenous, solid, water-soluble product according to claim 30, [consisting of] wherein the active substance is camptothecin and the protein is selected from the group consisting of human serum albumin, recombinant human plasma albumin and [/or] γ-globulin.

35. (Amended) A homogenous, solid, water-soluble product according to claim 30, [consisting of] wherein the active substance is carbamazepin and the protein is selected from the group consisting of human serum albumin, recombinant human plasma albumin and [/or] γ-globulin.

36. (Amended) A homogenous, solid, water-soluble product according to claim 30, [consisting of] wherein the active substance is cyclosporin A and the protein is selected from the group consisting of human serum albumin, recombinant human plasma albumin and [/or] γ-globulin.

37. (Amended) A homogenous, solid, water-soluble product according to claim 30, [consisting of] wherein the active substance is propofol and the protein is selected from the group consisting of human serum albumin, recombinant human plasma albumin and [/or] γ-globulin.